

MELINDA HAAG (CABN 132612)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

BRIAN C. LEWIS (DCBN 476851)
Assistant United States Attorney
450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
E-Mail: brian.lewis@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CARLOS ASPRILLA,)
)
Defendant.)

No. CR 10-0348 MHP

**~~[PROPOSED]~~ ORDER EXCLUDING
TIME FROM OCTOBER 4, 2010 TO
NOVEMBER 1, 2010**

The parties appeared before the Honorable Marilyn Hall Patel on October 4, 2010 for a status conference. With the agreement of counsel for both parties and the defendant, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from October 4, 2010 to November 1, 2010. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for defense counsel to conduct necessary investigative tasks.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from October 4, 2010 to November 1, 2010, outweigh the best interest of

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1 the public and the defendant in a speedy trial and filing of an indictment or information. 18
2 U.S.C. § 3161(h)(7)(A).

3 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
4 from October 4, 2010 to November 1, 2010, be excluded from Speedy Trial Act calculations
5 under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

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7 IT IS SO STIPULATED.

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9 DATED: October 4, 2010

/s/
DEBORAH LEVINE
Counsel for Carlos Asprilla

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11
12 DATED: October 4, 2010

/s/
BRIAN C. LEWIS
Assistant United States Attorney

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14
15 IT IS SO ORDERED.

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17
18 DATED: 10/6/2010

